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091 MF  
091 663,354

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/663,354 09/15/00 MISAWA

A 0879-0273P

002292 WMD01/0911  
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EXAMINER

VLI, N

ART UNIT

PAPER NUMBER

2612  
DATE MAILED:

09/11/01

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

<b>Office Action Summary</b>	Application No. <b>09/663,354</b>	Applicant(s) <b>Atsushi MISAWA</b>
	Examiner <b>Ngoc-Yen VU</b>	Art Unit <b>2612</b>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)  Responsive to communication(s) filed on Sep 15, 2000

2a)  This action is FINAL. 2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle* 1035 C.D. 11; 453 O.G. 213.

**Disposition of Claims**

4)  Claim(s) 6-13 is/are pending in the application.

4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 6-13 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

11)  The proposed drawing correction filed on \_\_\_\_\_ is: a)  approved b)  disapproved.

12)  The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. § 119**

13)  Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a)  All b)  Some\* c)  None of:

1.  Certified copies of the priority documents have been received.
2.  Certified copies of the priority documents have been received in Application No. 08/916,173.
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

14)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

**Attachment(s)**

15)  Notice of References Cited (PTO-892)

16)  Notice of Draftsperson's Patent Drawing Review (PTO-948)

17)  Information Disclosure Statement(s) (PTO-1449) Paper No(s). 3

18)  Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_

19)  Notice of Informal Patent Application (PTO-152)

20)  Other: \_\_\_\_\_

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## **DETAILED ACTION**

### ***Priority***

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No. 08/916,173, filed on 08/21/1997.

### ***Information Disclosure Statement***

2. The information disclosure statement, filed 09/15/2000, has been placed in the application file, and the information referred to therein has been considered as to the merits.

### ***Specification***

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### ***Response to Amendment***

4. The preliminary amendments, filed on 09/15/2000, have been entered and made of record.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are

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such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 6, 9 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wakui (US #5,742,339) in view of Macko et al. (US #5,436,621).

Regarding claim 6, Wakui '339 teaches a digital camera for capturing images, comprising: a built-in memory (7, 20) for storing image data (Fig. 1B) representing captured images, said built-in memory being provided in a camera body (Fig. 1A); a detachable memory card (31) for storing image data (Fig. 1B), said detachable memory card having a larger storage capacity than said built-in memory (col. 7 line 38 - col. 8 line 47); an insertion slot (Fig. 1A) for receiving said detachable memory card (col. 5 lines 1+); detecting means for detecting insertion of said detachable external memory card into said insertion slot (Fig. 1B, detecting circuit 16, col. 5 lines 11-23; col. 7 lines 58+); and memory control means (Fig. 1B, elements 2, 19, 15, 21) for transferring image data from said built-in memory to said detachable memory card upon said detecting means detecting said insertion (col. 5 line 32 - col. 8 line 47).

Claim 6 differs from Wakui '339 in that the claim further requires that said memory control means automatically transfer the image data stored in said built-in memory to said memory card upon said detecting means detecting said insertion of said detachable memory card. It is notoriously well known in the art that a removable memory card is preferable to conform to the standards of PCMCIA (Personal Computer Memory Card International Association) so that

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images captured by the digital camera can be seen on a computer display (Official Notice).

Therefore, it would have been obvious to one skilled in the art to modify the Wakui reference by providing the IC memory card (17) conforming to the PCMCIA standards allowing images captured by the camera (1) to be displayed on a computer.

Macko '621 teaches, interfacing with an electronic device (see message peripheral Fig. 1) to an electronic information processing device (see the computer in Fig. 2) with a PCMCIA interface (119), wherein upon connecting and sensing through the PCMCIA interface (see Fig. 4, card detecting pins 36 and 67) for judging the loading and connecting the data processing device of the computer through the PCMCIA interface provides an automatic executing (see steps Card-Inserted-607 thru the step "Allow Messages To Be Read-614; see col. 4 line 63 - col. 5 line 1). Macko teaches that in response to the detection of the PCMCIA interface through the detecting pins, the system can provide the automatic delivery, storage, and display of the data from the data unit, automatically, inherently causing the data to be transferred from the data unit through the PCMCIA interface to be stored in the memory and to be displayed automatically. In light of the teaching from Macko it would have been obvious to one skilled in the art to recognize that by detecting circuit (16) would detect the insertion of the IC card (17) to the camera via the detecting pins of the PCMCIA IC card so as to initiate an automatic downloading of images stored in the built-in image memory (7).

As to claims 9 and 13, Wakui '339 teaches images captured by the camera can be selectively stored in the image flash memory (20) or in the IC memory card (31) (col. 3 line 33 -

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col. 7 line 37). It would have been obvious to one skill in the art to recognize that when the IC memory card is not attached to the camera, captured images are stored in the image flash memory (20) regardless of whether the camera is being used or not being used.

7. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wakui and Macko as applied to claim 6 above, and further in view of Fujimori (US #5,027,214).

As to claim 7, Wakui '339 and Macko '621 fail to disclose that the built-in memory is initialized to allow for new image capturing upon said memory control means automatically transferring said image data. In the same field of endeavor, Fujimori '214 shows in figure 1 an electronic camera having a detachable memory card (17) wherein upon detection of the mounting of the memory card (17), a system controller (2) starts an initialization process of the camera or a buffer memory (13) which allows capturing of a new photograph (col. 3 lines 1-37; col. 7 lines 5-51; col. 9 line 11 to col. 10 line 47.) In the light of the teaching from Fujimori, it would have been obvious to one skilled in the art to initialize the built-in memory shown in Wakui upon the detection of mounting of the memory card for the clear benefit of ensuring a photographing operation of the electronic camera.

8. Claims 8, 10, 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wakui and Macko, as applied to claim 6 above, and further in view of Watanabe (US #4,887,161).

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As to claims 10, 11 and 12, the claims differ from Wakui '339, as modified by Macko '621, in that they require said detachable memory card is partially exposed so that a user can grasp the memory card by the exposed part to detach said memory card from said camera body, wherein when said detachable memory card is inserted into the insertion slot, more than 1/3 of said detachable memory card is exposed in an insertional direction of said detachable memory card.

In the same field of endeavor, Watanabe '161 teaches a digital camera (10) having a detachable memory card (20) wherein more than 1/3 of the memory card is exposed in an insertional direction of the memory card (Figs. 1-3), and the memory card is partially exposed so that a user can grasp the memory card by the exposed part with fingers to detach said memory card from said camera body (col. 3 lines 42+). In light of the teaching of Watanabe, it would have been obvious to one skilled in the art to have the memory card shown in Wakui be partially exposed allowing the user to detach the memory card from the camera so as to eliminate the need to have a rejecting mechanism for the memory card, thus reducing the size and weight of the digital camera.

As to claim 8, the claim differs from Wakui '339 and Macko '621 in that the claim requires that the camera body in an insertional direction of said memory card is shorter than said memory card in the insertional direction of said memory card. Watanabe shows that the camera body in an insertional direction of said memory card is the same as said memory card in the insertional direction of said memory card. Since it is highly desirable for the memory card to be

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easily and readily removed from the camera body, it would have been obvious to one skilled in the art to have the memory card shown in Wakui and Watanabe longer than the camera body.

*Conclusion*

9. **Any response to this office action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

(703) 872-9314, (for formal communications intended for entry)

(for informal or draft communications, please label

"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Ngoc-Yen Vu** whose telephone number is (703) 305-4946. The examiner can normally be reached on Mon - Fri from 8 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Wendy Garber**, can be reached on (703) 305-4929.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

NYV  
09/09/2001



Ngoc-Yen Vu  
Patent Examiner  
Group Art Unit 2612